

APPENDIX 1



U.S. Department of Justice

United States Attorney
Northern District of OhioUnited States Court House
801 West Superior Avenue, Suite 400
Cleveland, Ohio 44113-1852

July 26, 2007

VIA FACSIMILE ONLYRichard M. Kerger, Esq.
Kerger and Associates
33 S. Michigan Street, Suite 100
Toledo, Ohio 43604Percy Squire, Esq.
514 S. High Street
Columbus, Ohio 43215Re: *United States v. Mark Lay*, Case No. 1:07CR0339
Notice of Intent to Introduce 404(b) Evidence

Dear Attorneys:

Counsel for the government hereby gives notice of its intent to introduce at trial 404(b) evidence regarding Mr. Lay's actions resulting in his termination from Pittsburgh National Bank, in order to prove, among other things, Mr. Lay's intent, knowledge and absence of mistake or accident, in his dealings with the Active Duration Fund and the Ohio Bureau of Workers' Compensation.

Sincerely yours,
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TO: Hon. David Dowd

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FROM: AUSA Benita Pearson

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NUMBER OF PAGES: (EXCLUDING FAX TRANSMISSION COVER SHEET)

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